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Docket No. 51992-001

Express Mail Label No. EE133339465US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of :  
Karl M. Bizjak :  
Serial No.: 09/727,269 : Group Art Unit: Unknown  
Filed: November 29, 2000 : Examiner: Unknown

For: VARIABLE ATTACK AND RELEASE SYSTEM AND METHOD

**PRELIMINARY AMENDMENT**

Box Non-Fee Amendment  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Pursuant to the Notice to File Corrected Application Papers mailed February 27, 2001 and prior to examination of the above-referenced application, please amend the application as follows; this amendment does not introduce any new matter to the application as filed.

**IN THE SPECIFICATION:**

1. Please replace the paragraph at page 18, paragraph 2, with the following rewritten paragraph:

-- Figures 1A-1E show prior art signal processing systems. --

2. Please amend the specification by adding the following abstract as page 154:

-- ABSTRACT:

Variable attack and release system and method are disclosed for dynamically modifying the various elements of the system, including modifying compander response time to dynamically adjust for changing parameters such as environmental or input signal changes, to maintain output signals within predetermined limits. The system and method include permitting accurate and quick response to noise sources having a duration which exceeds a predetermined threshold while at the same time ignoring transient or short duration environmental noise. --

#### REMARKS

Applicant herewith submits the proposed Preliminary Amendment in order to correct a typographical error in the initial application pertaining to the number of the figures, as filed November 29, 2000. Further, Applicant herewith amends the application by adding an abstract which was omitted from the initial filing.

Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made."

Applicant respectfully requests that this application proceed to examination.

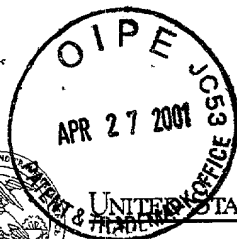
The Assistant Commissioner is hereby authorized and directed to charge the any applicable fees and/or credit any overpayment to deposit account no. 50-0385

Respectfully submitted,  
McDERMOTT, WILL & EMERY

A handwritten signature in black ink, appearing to read "James E. Eakin", written over a horizontal line.

James E. Eakin  
Registration No. 27,874

2025-04-04 15:04:00



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/727,269	11/29/2000	Karl M. Bizjak	51992-001

CONFIRMATION NO. 5505

FORMALITIES LETTER



\*OC000000005805780\*

James E. Eakin  
McDermott, Will & Emery  
2700 Sand Hill Road  
Menlo Park, CA 94025

Date Mailed: 02/27/2001

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **1F** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*,

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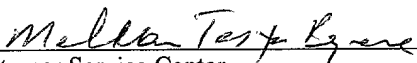
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the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE